

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

CHAPTER 13 CASE NO:

GEANJRIA NORPHLET

18-13141-JDW

NOTICE OF TRUSTEE'S MOTION TO MODIFY CONFIRMED PLAN

Should any party receiving this notice respond or object to said motion, such response or objection is required to be filed on or before April 16, 2019, using the CM/ECF system or with the Clerk of this Court at the following address:

Shallanda J. Clay, Clerk of Court
U. S. Bankruptcy Court
Northern District of Mississippi
703 Highway 145 North
Aberdeen, MS 39730

and a copy must be served on the undersigned Chapter 13 Trustee. If no responses are filed, the Court may consider said motion immediately after the time has expired. In the event a written response is filed, the Court will notify you of the date, time and place of the hearing thereon.

CERTIFICATE

I, the undersigned Attorney for Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the following attorneys of record and/or parties of interest.

Dated: March 14, 2019

**LOCKE D. BARKLEY,
CHAPTER 13 TRUSTEE**

/s/ Melanie T. Vardaman
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
6360 I-55 North, Suite 140
Jackson, Miss. 39211
(601) 355-6661
ssmith@barkley13.com

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

CHAPTER 13 CASE NO.:

GEANJRIA NORPHLET

18-13141-JDW

MOTION TO MODIFY CONFIRMED PLAN

COMES NOW Locke D. Barkley, Chapter 13 Trustee (the “Trustee”), by and through counsel, and files this Motion to Modify Confirmed Plan (the “Motion”). **The recipient(s) of the Motion have 30 days, subject to Fed. R. Bankr. P. 9006(f), in which to file a response or objection.** In support of the Motion, the Trustee states as follows:

1. The Chapter 13 Plan was confirmed by Order of this Court entered on January 18, 2019, for a term of 38 months (Dkt. #25) (the “Confirmed Plan”). The Confirmed Plan does not provide for a distribution to nonpriority unsecured creditors.

2. The Confirmed Plan provides for payment to Rent-A-Center (the “Creditor”) for two (2) claims. The first, in the amount of \$954.00 plus 6% interest, is secured by an electric range. The second in the amount of \$1,000.00 plus 6% interest, is secured by a 65” HD TV & fire place. As of this date the Creditor has failed to file proofs of claim. The time period for the filing of claims has passed.

3. The Trustee requests that the Confirmed Plan be modified to remove the claims of the Creditor and to use the funds proposed for each of the claims for a pro rata distribution to nonpriority unsecured creditors with timely filed and allowed proofs of claim.

4. The plan payment should remain unaltered.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that upon notice and an opportunity for hearing that this Court enter its order granting the Motion and for such other relief to which Trustee and this bankruptcy estate may be entitled.

Dated: March 14, 2019

Respectfully submitted,

**LOCKE D. BARKLEY,
CHATPER 13 TRUSTEE**

By: /s/ Melanie T. Vardaman
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
6360 I-55 North, Suite 140
Jackson, Miss. 39211
(601) 355-6661
ssmith@barkley13.com

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Rent-A-Center
Attn: Legal Department
5501 Headquarters Drive
Plano, TX 75024

Dated: March 14, 2019

/s/ Melanie T. Vardaman
MELANIE T. VARDAMAN